

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Newport News Division**

ERIC S. MOORE, *et al.*,

Plaintiffs,

v.

Civil Action No. 4:11cv122
LEAD

LAW OFFICES OF SHAPIRO & BURSON, LLP,

Defendant.

SANDRA WATERS-LEVY,

Plaintiff,

v.

Civil Action No. 4:12cv45

LAW OFFICES OF SHAPIRO & BURSON, LLP,

Defendant.

CHRISTIAN ANDRADE, *et al.*,

Plaintiffs,

v.

Civil Action No. 2:11cv523

SHAPIRO & BURSON, LLP, et al.,

Defendants.

VALENTINA GUDYM,

Plaintiff,

v.

Civil Action No. 4:12cv85

LAW OFFICES OF SHAPIRO, BROWN & ALT, LLP,
et al.

Defendants.

GLENN T. MACNAUGHTON,

Plaintiff,

v.

Civil Action No. 4:12cv95

LAW OFFICES OF SHAPIRO, BROWN & ALT, LLP,
et al.

Defendants.

IMMER E. CAMPOS-CARRANZA,

Plaintiff,

v.

Civil Action No. 4:12cv94

LAW OFFICES OF SHAPIRO, BROWN & ALT, LLP,
et al.

Defendants.

JOINT STATUS REPORT

On April 19, 2012 (Docket Entry 31) and August 17, 2012 (Docket Entry 37), the Court entered an Order consolidating these six proceedings for pretrial and settlement purposes, which also requires the parties to file Joint Status Reports every thirty days beginning on July 13, 2012 to advise the Court of the status of mediation efforts.

The parties submit the following status report:

1. The parties held an in-person mediation session with Judge Dohnal on October 4, 2012.
2. On November 2, 2012, the parties were granted a 90 day stay of the proceedings to pursue mediation efforts.
3. On November 13, the parties filed a joint status report and informed the Court they were attempting to schedule another mediation date and are committed to the mediation process, including working together on exchanging information and documents in a manner aimed at facilitating the mediation process.

Plaintiffs' Position

4. It is the Plaintiffs' position that the stay in this matter should be lifted. Mediation with the Defendants has been ineffective and the Plaintiffs do not believe that the Defendants intend to mediate or resolve these cases through a settlement at this time. Plaintiffs do not believe any progress has been made since the last status report and the parties are no longer engaged in settlement discussions. There are no other mediation dates scheduled between the parties. The Plaintiffs respectfully requests that the Court lift the stay and set these matters for a status conference at the Court's first convenience.

Defendants' Position

5. Defendants believe the stay should remain in place and that progress has been made toward a resolution of this matter. Defendants remain engaged with and committed to the mediation process with Judge Dohnal. However, a class action lawsuit was filed against Defendants in the Richmond Division (*Boyd et al. v. Law Offices of Shapiro, Brown & Alt, LLP, et al.*, Civil Action No: 3:12-cv-700-REP) the afternoon before the mediation session with Judge Dohnal, which is a prime example of forum shopping and gamesmanship. A motion to transfer venue and consolidate for pretrial and settlement purposes will be filed shortly in *Boyd*. Defendants contend venue in the *Boyd* case should be transferred and it should be consolidated into *Moore* in the interests of justice, judicial economy, avoiding unnecessary inconvenience and cost, as well as to avoid prejudice and the likelihood of inconsistent rulings. After venue is transferred, Defendants submit their forthcoming motion to dismiss should be ruled upon in order to narrow the claims in *Boyd*, a decision which Defendants believe will further facilitate mediation and settlement. Defendants respectfully request that the Court continue to stay this matter until, at a minimum, the venue and dismissal motions in *Boyd* are ruled upon. Defendants want to and will continue to engage in settlement discussions with Plaintiffs under the supervision of Judge Dohnal.

6. The parties will continue to file their Joint Status Reports every thirty (30) days to advise the Court of the status of mediation efforts.

**Shapiro & Burson, LLP, Shapiro, Brown
& Alt, LLP, and Professional Foreclosure
Corporation of Virginia**

By: /s/ John C. Lynch
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CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of December, 2012, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF System, which will then send a notification of such filing (NEF) to the following:

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